

REMARKS

By this Amendment, claims 1, 2, 7, 9, 11, 14-18, 23, 27 and 30-33 are amended, and claims 40-45 are added. Claims 1, 16, 17, 32 and 33 are amended and claims 40-45 are added to recite features supported in the specification at, for example, page 13, line 8 – page 14, line 3, page 15, lines 3-13 and Fig. 6. Accordingly, claims 1-45 are pending in this application. No new matter is added by any of these amendments.

Applicants appreciate the courtesies extended to Applicants' representative by Examiner Bautista during the August 30, 2005 personal interview. In accordance with MPEP §713.04, the points discussed during the interview are incorporated in the remarks below and constitute Applicants' record of the interview.

Reconsideration of the application is respectfully requested.

The Office Action rejects claims 1, 2, 4-14, 16-18, 20-30 and 32-39 under 35 U.S.C. §103(a) over U.S. Patent No. 5,260,805 to Barrett in view of U.S. Patent No. 6,505,252 to Nagasaka, rejects claims 3 and 19 under 35 U.S.C. §103(a) over Barrett and Nagasaka and further in view of U.S. Patent No. 6,298,172 to Arney et al. ("Arney"); rejects claims 15 and 31 under 35 U.S.C. §103(a) over Barrett and Nagasaka and further in view of U.S. Patent No. 6,317,141 to Pavley et al. ("Pavley"). These rejections are respectfully traversed.

During the personal interview, various features that distinguish over the prior art of record were discussed. In particular, Barrett and Nagasaka, alone or in combination, do not teach or suggest an image capture control system including a controller that provides control parameters, and a graphical user interface displayable on the display device, the graphical user interface including a preview pane portion that visually indicates features of a resulting captured image, the features including a scan ticket portion, wherein the preview pane portion visually indicates the features in response to a user selection and without the image capture device capturing the captured image, as recited in claim 1 and similarly recited for a graphical user interface, as recited in claim 17.

Barrett and Nagasaka further fail to teach or suggest a method for displaying visual cues indicating capture parameters for a captured image including comprising displaying a preview pane that includes features including a scan ticket portion that indicates a save status of a scan ticket, the scan ticket including a plurality of scan settings; and displaying the features in response to a user selection within the preview pane, as recited in claim 33.

Barrett discloses a printing system 2 for comparing the programmed size of an image to be printed with the maximum available size for any image. In particular, Barrett teaches that the printing system 2 includes an image input section 4 having a document scanner section 6 for scanning documents 22, a controller section 7 and a printer section 8. See col. 3, lines 23-32, 53-57, 67 – col. 4, line 9 and Figs 2-3 of Barrett.

Applicants respectfully assert that Barrett fails to teach or suggest displaying a scan ticket portion in response to user selection. Further, Barrett fails to teach or suggest a scan ticket portion that indicates a save status and displays a series of scan settings, as recited in claims 1 and 17. Further, Barrett fails to teach a method for displaying visual cues including displaying a scan ticket portion, as recited in claim 33.

Nagasaka discloses a preview data generation unit 218 in an image data server 200 and a display control unit 113 in a computer system 100 for previewing image data. In particular, Nagasaka teaches a window for paper settings on a monitor 150. Nagasaka further teaches display of setting printer details 151, such as paper size, source, orientation and image size. Nagasaka also teaches display of print mode selections 154, such as number of copies, page selection, optimization between quality and speed using a sliding scale, paper type and color setting. See col. 3, lines 51-62, col. 4, lines 20-34, col. 6, line 54 – col. 7, line 19 and Figs. 1, 4 and 5 of Nagasaka.

However, there is no teaching or suggestion in Nagasaka for a preview pane portion that visually indicates features of a resulting captured image, the features including a scan ticket portion, wherein the preview pane portion visually indicates the features in response to

a user selection, as recited in claims 1 and 17. Moreover, there is no teaching or suggestion in Nagasaka for a method a method for displaying visual cues including displaying a scan ticket portion, as recited in claim 33. Rather, Nagasaka only provides a static display whose preview icons cannot be dynamically updated according to a selection made by a user.

Arney does not compensate for the deficiencies of Barrett and Nagasaka outlined above with respect to claims 1 and 17. Arney also does not teach, disclose or suggest the additional features recited in claims 3 and 19 of the crop/frame marquee section control indicating a cropped portion of the original image. Arney only discloses a preview display screen 10 visible to the user when the platen cover 56 is closed. See col. 4, lines 46-60, col. 5, line 53 – col. 6, line 8, col. 6, lines 27-34 and Fig. 1A of Arney.

Pavley does not compensate for the deficiencies of Barrett and Nagasaka outlined above with respect to claims 1 and 17. Pavley also does not teach, disclose or suggest the additional features of the preview pane portion including an image quality profile mimic that visually indicates a currently selected image quality profile to be used when generating the captured image from the original image, as recited in claims 15 and 31. Pavley only discloses editing media objects in a digital imaging device, such as a digital video camera (DVC) 100. See Abstract and col. 5, lines 1-9 of Pavley.

A *prima facie* case of obviousness for a §103 rejection requires satisfaction of three basic criteria: there must be some suggestion or motivation either in the references or knowledge generally available to modify the references or combine reference teachings, a reasonable expectation of success, and the references must teach or suggest all the claim limitations. See MPEP §706.02(j).

For at least these reasons, Applicants respectfully assert that independent claims 1, 17 and 33 are patentable over the applied references. The dependent claims are likewise patentable over the applied references reference for at least the reasons discussed, as well as

for the additional features they recite. Thus, Applicants respectfully request that the rejections under 35 U.S.C. §103 be withdrawn.

Newly added claims 40-45 are also patentable for at least the reasons discussed, as well as for the additional features they recite.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gerhard W. Thielman
Registration No. 43,186

JAO:GWT/gwt

Attachment:
Amendment Transmittal

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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